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July 16, 2001

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

Attention: Box Missing Parts  
Application Processing Division  
Special Processing and Correspondence Branch

Re: U.S. Patent Application  
Applicant(s) : DARST ET AL.  
Serial No. : 09/802,755  
Filed : MARCH 9, 2001  
Title : CRYSTAL OF BACTERIA CORE RNA  
POLYMERASE WITH RIFAMPICIN  
Docket No. : 2555-1-001

CERTIFICATE OF MAILING UNDER 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to BOX MISSING PARTS, ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231 on July 16, 2001.

Michael D. Davis Reg. No. 39,161  
(Name of Registered Representative)

*Betty Schults* 7/16/01  
(Signature and Date)

SUBMISSION OF MISSING PARTS OF APPLICATION  
UNDER 37 CFR 1.53(d)

Sir:

Responsive to the Notice to File Missing Parts of Application dated May 14, 2001, (copy enclosed) under 37 CFR 1.53(d), Applicants submit herewith the following:

1. A combined Declaration and Power of Attorney in two (2) counterparts making reference to the above-identified application, and in compliance with 37 CFR 1.63;

ASSISTANT COMMISSIONER FOR PATENTS

July 16, 2001

Page - 2 -

Docket No.: 2555-1-001


2. A paper copy of a Sequence Listing for insertion into the Application as filed at the end of the Specification and prior to the Claims.
3. A copy of the Sequence Listing in computer readable form (ASCII text), submitted on a 3½" floppy disk compatible with IBM format.
4. A statement in support of the filing and submission of a Sequence Listing in accordance with 37 CFR 1.821 - 1.825.
5. A copy of the RAW SEQUENCE LISTING ERROR REPORT containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures.
6. A check in the amount of \$750.00, covering the following:
  - (a) Filing Fee under 37 CFR 1.16 (including multiple dependent claims) ; 685.00
  - (b) Surcharge under 37 CFR 1.16 ; 65.00
  - (c) Small entity status is entitled to be asserted for the above-identified application under 37 C.F.R. §1.27(c).

The time set for this response is July 16, 2001, since July 14, 2001 fell on a Saturday.

A correct Filing Receipt reflecting the above and attached information is requested.

Applicants hereby authorize that any charges in addition to the above authorized that relate to the filing and processing of the present Application in accordance with 37 CFR 1.16 and 1.17 may be charged to Deposit Account No. 11-1153.

Respectfully submitted,

  
MICHAEL D. DAVIS  
Attorney for Applicant(s)  
Registration No. 39,161

MDD/bls  
Enclosures



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/802,755	03/09/2001	Seth Darst	2555-1-001

CONFIRMATION NO. 8223

23565  
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HACKENSACK, NJ 07601

## FORMALITIES LETTER



\*OC00000006070387\*

Date Mailed: 05/14/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

07/24/2001 BNGUYEN1 00000016 09802755

01 FC:201	355.00 OP
02 FC:203	90.00 OP
03 FC:202	240.00 OP
04 FC:205	65.00 OP

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$330.
  - \$90 for 10 total claims over 20.
  - \$240 for 6 independent claims over 3.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 750.**
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600

- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

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*A copy of this notice **MUST** be returned with the reply.*

*Ryan*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY